

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Appln. No. 10/801,727

AMENDMENTS TO THE DRAWINGS

Applicant is submitting herewith two (2) sheets of replacement drawings, which include FIGS. 1 and 2.

FIG. 1 has been amended to remove the figure notation “5”. FIG. 2 has been amended to change the figure notation “45 to --46--.

Attachment: Replacement Sheets

REMARKS

Claims 1-18 are all the claims pending in the application. Claims 16-18 are withdrawn from consideration as being drawn to a non-elected invention. Claims 1-15 presently stand rejected.

Applicant makes minor amendments to the specification and drawings to remove any ambiguities.

Claims 1-15 are rejected under 35 U.S.C. § 112, second paragraph. Applicants amend claim 1 to remove any ambiguities.

Claims 1-3 and 6-10 are rejected under 35 U.S.C. § 102(b) as being anticipated by O'Grady (254,364).

Claims 1-5, 10, 11, 14 and 15 are rejected under 35 U.S.C. § 102(b) as being anticipated by Keller (6,286,153).

Analysis

In the present invention, the siphon insert has an overflow pipe with an overflow edge, and the deodorizing means is entirely located underneath the inlet and above the overflow edge in an essentially dry area of the odor trap, so that the deodorizing means odorizes the air underneath the inlet in the essentially dry area.

With the present invention, a benefit is realized in that the deodorizing means is completely disposed in the dry area and does not contact any liquid in the trap, thus, prolonging the life of the deodorizing means.

USP '364 (O'Grady) discloses a trap, with a disinfectant block which at least partly is located in the water. A portion of the gas cap D having the disinfectant is disposed above the inlet, and a portion is disposed underneath the overflow edge (see Fig. 1). Therefore, structurally, O'Grady clearly fails to disclose deodorizing means entirely located underneath the inlet and above the overflow edge. Moreover, Applicant submits that O'Grady does not disclose deodorizing means capable of the same function as the present invention, in which air is odorized. Instead, O'Grady discloses disinfectant means which neutralize the noxious gases. It is not possible to odorize air with disinfectant means.

USP '153 (Keller) discloses a waterless urinal, with an inlet 31, which is closed with a float 33. Underneath the opening 31 there is an essentially dry area. However, in the Office Action, the Examiner asserts that the upper edge of the conical portion 29 is the inlet, and the area within the conical portion 29 is the essentially dry area under the alleged inlet, presumably since any liquid present in this area would push the dome 41 down so that the liquid could drain out (see page 2 of Final Office Action). This is clearly not an essentially dry area, however, since this area routinely collects and accumulates urine before the float depresses (col. 3, lines 59-65). Therefore, this area is not essentially dry.

Even under the Examiner's interpretation of Keller, however, there is no deodorizing means in this alleged dry area and therefore the air in the alleged dry area under the inlet can not be odorized. The conical shaped dome 41 is not capable of odorizing air; it is merely provided to

prevent the exit of odors from underneath, and thus it is not a deodorizing means for the air in the area of the conical portion 29.

Still further, the alleged deodorizing means 41 is not entirely located under the alleged inlet and above an overflow edge of an overflow pipe, in an essentially dry area. Clearly, urine is routinely collected on the dome 41, and flows past the dome 41 when the dome depresses down. Therefore, there is no support for asserting that the dome 41 is entirely located under the inlet and above an overflow edge in an essentially dry area.

In view of the foregoing, none of the cited references, whether taken alone or in combination, discloses the invention according to claim 1.

The remaining rejections are directed to the dependent claims. These claims are patentable for at least the same reasons as claim 1, by virtue of their dependency therefrom.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Ellen R. Smith
Registration No. 43,042

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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